

Regular Meeting, Wednesday, March 27, 2024, 7:00 p.m., Government Center, Verona, VA.

PRESENT: Jeffrey Slaven, Chairman
Pam Carter, Vice-Chair
Michael Shull
Butch Wells
Gerald Garber
Carolyn Bragg
Scott Seaton
Timothy K. Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
Doug Wolf, Director of Community Development
Kathleen Keffer, Assistant County Attorney
Angie Michael, Executive Assistant

VIRGINIA: At an adjourned meeting of the Augusta County Board of Supervisors held on Wednesday, March 27, 2024, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 248th year of the Commonwealth....

* * * * *

Chairman Slaven welcomed those present at the meeting.

* * * * *

Josh Bailey, Augusta County Battalion Chief, led the Board in the Pledge of Allegiance.

* * * * *

Todd Latham, Senior Pastor at Memorial Baptist Church in Staunton, delivered the invocation.

* * * * *

BLUE RIDGE COMMUNITY COLLEGE UPDATE

Dr. John Downey, President of Blue Ridge Community College, presented the Board with an update on Blue Ridge Community College. He thanked the Board for their support throughout the years. Of all Augusta County residents that attended a higher education last fall, forty percent of them chose Blue Ridge Community College for their post-secondary education. Dr. Downey thanked Rebekah Castle and Gary Corder with the Augusta County Economic Development Department for their hard work on regional economic development projects. He reviewed various programs that the college offers. Based on a recent study by Lightcast, BRCC added over \$23.5 million in income to the regional economy last year. The college is also responsible for supporting one out of every fifty-four jobs that are in the region. The real impact for BRCC is the lives that are improved through the education and opportunities they provide. Dr. Downey introduced his Board members, Vermell Grant and Debbie Callison, and presented the Board of Supervisors with a resolution thanking them, the administration and all staff for the thirty plus years of support the County provided the Blue Ridge Community College Truck Driving Program by providing the lot adjacent to this Government Center for training purposes.

* * * * *

March 27, 2024, at 7:00 p.m.

LIBRARY ANNUAL PRESENTATION

Dr. Jennifer Brown, Director of Augusta County Library, updated the Board on Library accomplishments over the past year, where they see themselves currently and in the future. The Library's strategic priorities are community focused, accessible, capacity building, awareness and advocacy, sustainable and user focused. The library went through the strategic planning process and had seven community conversations across the County. A huge accomplishment was Friends of the Library and the Library Foundation have been merged so there is only one Board. Dr. Brown reviewed summer programs that the library offers and also budgeting for the library. Turnover and retirements are issues the library faces. Trends in library usage is changing. A big challenge coming up is the Board of Trustees. As of July 1, 2024, they will be down five positions and a quorum of four required. This could have a potential impact on how the library provides guidance for services offered. The library received two awards from the Virginia Public Library Association, one for innovative program for the Books on Wheels Program and one for Better Together for the partnership with neighboring bridges for the free food pantry at the Fishersville Library.

Ms. Carter thanked Dr. Brown for her help with the Craigsville prison closure.

Ms. Bragg thanked Dr. Brown for all they do.

* * * * *

ORDINANCE AMENDMENT – CHAPTER 25, SECTION 25-74
PREVIOUSLY POSTPONED

The Board considered an ordinance to amend Chapter 25. Zoning. Division B. Agriculture Districts. Article VII. General Agriculture Districts. Section 25-74. Uses permitted by Special Use Permit. D. Uses away from developed areas. The Planning Commission recommends approval.

Doug Wolfe, Director of Community Development, stated that there was a collaboration between many members the aggregate industry, interested citizens and Board members since the public hearing meeting in January. The consensus of the interested parties was that the County may be best served if the BZA would continue to pursue any greater setback beyond the existing two-hundred-foot setback on a case by case basis. The setback requirements were the only amendment presented for this public hearing so no changes are necessary if that is the Board's desire.

Ms. Bragg moved, seconded by Mr. Shull, that the Board withdrawal the proposed amendment and leave the ordinance as is.

Dr. Seaton verified with the Assistant County Attorney that withdrawal is the proper motion.

Kathleen. Keffer, Assistant County Attorney, stated that withdrawing the amendment is the correct motion.

Vote was as follows: Yeas: Slaven, Carter, Shull, Garber, Wells, Bragg and Seaton
Nays: None

Motion carried.

* * * * *

The Board considered a refund request from General Electric Credit Corp of Tennessee in the amount of \$29,788.33.

Ms. Keffer stated that this is a refund by General Electric Credit Corps of Tennessee who leases business personal property in Augusta County. The taxpayer provided a bill of sale for this equipment for 2020, 2021, and 2022 and asserts they were not in possession of this equipment during that time. The Commissioner has reviewed the original assessments and determined that the County owes the taxpayer a refund in the amount of \$29,788.33.

Dr. Seaton moved, seconded by Mr. Shull, that the Board authorize the refund request as presented.

Vote was as follows: Yeas: Slaven, Carter, Shull, Garber, Wells, Bragg and Seaton
Nays: None

Motion carried.

* * * * *

The Board considered two borrowings for Courthouse Financing.

Jennifer Whetzel, Deputy County Administrator, stated that at the last Board meeting the Board approved moving forward with courthouse financing through the Virginia Resources Authority. The next step in the process is to decide to borrow for the whole project cost upfront or borrow over the course of the project in two separate borrowings. Staff and the Finance Advisor recommend borrowing in two tranches. The main reason being that principal and interest on the second borrowing would be paid at a later date and any monies that are earned on the bond proceeds could be used towards the project. In order to avoid arbitrage, which is paying the IRS if you earn too much money on bond proceeds over what is being payed in debt service, the funds would need to be spent within an eighteen-month window and the total project is a little beyond the eighteen months. If done in the two tranches there is a guarantee that the first bond proceeds will be paid down timely and the second will be because it is not as long of a period.

Mr. Garber moved, seconded by Mr. Shull, that the Board approve borrowing in two different bond sales for the Courthouse financing.

Vote was as follows: Yeas: Slaven, Carter, Shull, Garber, Wells, Bragg
and Seaton
Nays: None

Motion carried.

* * * * *

The Board considered authorization to advertise for public hearing.

- Chapter 25, Section 25-73.
- Chapter 25, Section 25-54.1.
- Chapter 25, Section 25-382.
- Chapter 25, Section 25-384.
- Chapter 25, Section 25-4
- Chapter 25, Section 25-54.1
- Chapter 25, Section 25-55

Vote was as follows: Yeas: Slaven, Carter, Shull, Garber, Wells, Bragg and Seaton
Nays: None

* * * * *

Motion carried.

March 27, 2024, at 7:00 p.m.

* * * * *

(END OF CONSENT AGENDA)

* * * * *

MATTERS TO BE PRESENTED BY THE PUBLIC -- NONE

* * * * *

MATTERS TO BE PRESENTED BY STAFF

Mr. Fitzgerald discussed the following:

- 1) Action is needed from the Board regarding the Emergency Declaration Ordinance that was declared on March 20, 2024 for wildfires burning throughout the County and fire conditions expected to worsen over the next several days. Mr. Fitzgerald thanked all fire companies across the County and ECC for their hard work. The Director of Emergency Management, which is Mr. Slaven as the Chair and Mr. Fitzgerald as the Assistant, declared a local emergency that would allow the County to have access to state equipment, and state funds. The State code requires the Board of Supervisors to consider the declaration at the next regular meeting. Along with this declaration will be the end of the local emergency, which will be effective today, March 27, 2024.

DECLARATION OF A LOCAL EMERGENCY

WHEREAS, due to multiple wildfires burning throughout the county and fire conditions expected to worse over the next several days, the County of Augusta is facing conditions of extreme threat to the lives, safety, and property of the residents; and

WHEREAS, the conditions of extreme threat to life and property necessitate the declaration of a local emergency pursuant to the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, codified at Code §§ 44-146.13 through 44-146.28.1. The Code authorizes the Director of Emergency Management to declare the existence of a local emergency, subject to confirmation by the governing body at its next regularly scheduled meeting or a special meeting within 45 days of the declaration; and

WHEREAS, the potential of such an emergency necessitated the Declaration of a Local Emergency by the Director of Emergency Management, effective March 20, 2024; and it is

FURTHER DECLARED, that the Augusta County Emergency Operations Plan is now in effect and that the powers, functions, and duties of the Emergency Management Coordinator and Emergency Services organization of Augusta County shall be those set forth in the laws of the Commonwealth of Virginia and the ordinances, resolutions, and approved plans of Augusta County to mitigate the effects of this emergency.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Augusta County

- 1. Confirms the declaration of a Local Emergency dated March 20, 2024; and

